WEST SIDE OBSERVER

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Ruminations of a Former Citizen Supervisor

By Quentin Kopp

The Art of Picking the Public Purse

By Quentin Kopp

It's all privately funded! Those aren't my words; those are the words of the billionaire owners of the San Francisco Warriors and compliant Mayor Edward Lee respecting the proposed (and financially complicated) Warriors proposal to build a mammoth sports and entertainment arena on San Francisco Piers 30-32.

Forget for the moment the elevated Embarcadero Freeway no longer precludes our enjoyment of San Francisco Bay, or the Embarcadero itself with a revamped Ferry Building, a multitude of marvelous restaurants, attractive offices and other creature



comforts. For over two decades from the 1960's to the 1980's, San Franciscans lost their Bay and Embarcadero. Only an earthquake on October 17, 1989, and the public resolve (led by then-Mayor Art Agnos), prevented post-Loma Prieta Earthquake restoration of the elevated freeway. The Warriors proposal, with Lee as the spear carrier (proudly proclaiming that the wrongly-placed arena would be his "legacy"), would, if ever built, be higher than the hated Embarcadero Freeway, which many San Franciscans spent years detesting and attempting to eliminate.





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The San Francisco Giants in 1996 and the San Francisco 49ers in 1971 were not afraid to secure voter/taxpayer approval. Maybe Lee and the Warriors are afraid the truth is that \$120,000,000 is needed for the extraordinary cost of bearing the proposed arena's weight, and supporting facilities the Warriors want to build on a platform over San Francisco Bay."

Concentrate, instead, on the taxpayer subsidy of up to \$200,000,000 (including interest) to the Warriors. The Warriors demand that Piers 30-32 be fully reconstructed, at Port cost, to a standard that will support the immense 19,000-seat arena. The reconstruction cost is an estimated \$120,000,000. Every single penny of such \$120,000,000 is public money, i.e., the Port. The Port must borrow the money to reconstruct those piers. From whom? The Warriors, of course, and for the privilege of borrowing such money (for the Warriors' benefit), the Port will pay the Warriors an exorbitant 13% per year as interest.

Additionally, the Port must sell the Warriors an enormously valuable piece of public land across the Embarcadero (Seawall 330) for a high-rise hotel, condominium and retail development. The Port doesn't, however, sell it by competitive bid like any homeowner would do; the Port sells Seawall 330 for \$30,400,000 to the Warriors. It should be fair market value, but under the Warriors' proposal with Mr. Lee's concurrence, "fair market value" will never be established by an open, competitive bidding; it has been "established" by a single appraiser selected by the Port and Real Estate Division, but paid by the Warriors, whose 2012 appraisal will, in a rising real estate market, be several years old by the time final terms are approved by the Board of Supervisors and Mayor, and signed by the Mayor and Warriors. The \$30,400,000 is a reduction from the \$33,050,413 assessment for the America's Cup deal cancelled by billionaire Larry Ellison.



The Port, instead of obtaining money from Seawall lot 330's sale through competitive bidding and applying it for worthwhile waterfront projects now lacking funds, takes the Seawall lot 330 sale proceeds and returns such money to the Warriors to reduce its \$120,000,000 debt to the Warriors. Lee then proposes to use all the property taxes (called possessory interest taxes for leasing public land) owed by the Warriors and divert those taxes into an Infrastructure Financing District, another public borrowing gimmick. Thus, the Warriors pay no such taxes, and an estimated \$60,000,000 in waived taxes reduces the Port's \$120,000,000 debt

further. (Property taxes are, of course, normally placed in the City's General Fund, usable for police, fire, park and similar purposes, but the length of time the Warriors' property or possessory interest taxes will not be paid to the City's General Fund [or Port] is more than 30 years.)

After all that, the Port will still owe the Warriors approximately \$40,000,000 or so. Seemingly, the Port would possess nothing else for a giveaway. But it does: the Warriors will pay no rent on their 66-year lease for Piers 30-32 (or the arena) for a time probably longer than the useful life of the arena itself. If the City issued general obligation bonds for the \$120,000,000 required to reconstruct Pier 30-32, two-thirds voter approval would be required, but taxpayers would pay only about 4% annual interest, not the 13% yearly interest Lee commits the City to pay the Warriors on the \$120,000,000 loan. If the City decided to issue revenue bonds (which are repaid from revenue produced by a City structure, like an airport terminal), the interest rate would not exceed 5% per year. Moreover, under the proposed Warriors deal, the \$120,000,000 borrowing would be approved by a simple majority of the Board of Supervisors, not taxpaying voters. The San Francisco Giants in 1996 and the San Francisco 49ers in 1971 were not afraid to secure voter/taxpayer approval. Maybe Lee and the Warriors are afraid the truth is that \$120,000,000 is needed for the extraordinary cost of bearing the proposed arena's weight, and supporting facilities the Warriors want to build on a platform over San Francisco Bay. It would, however, cost only approximately \$45,000,000 to demolish Piers 30-32 entirely, restore full access to the Bay, and perhaps later extend the new Brannan Street park next to the site. It would cost approximately \$80,000,000 to rehabilitate Piers 30-32 completely and sell the public's property on the open market to a developer for a project less environmentally destructive, providing more public benefits, and paying the Port rent and possessory interest taxes immediately.

Finally, the charging of 13% annual interest by the Warriors represents sheer profiteering. Experts estimate the Warriors billionaire owners can borrow their own capital at an interest rate of 6-7%. It requires gall to compel the Port and City taxpayers to pay an interest rate higher than the borrowing costs of the Warriors owners for money borrowed by the Port/City to meet the Warriors' own demands.

I'm a basketball fan. I played basketball in high school, college, law school (once at the Boston Garden in a Celtics' preliminary game), coached it in the U.S. Air Force, and kept going until my 50's at the Jewish Community Center, the Olympic Club, and playgrounds. An arena in an untroubling location such as Port property further south in a less densely tangled area, or Civic Auditorium (which housed the same Warriors from 1962 until 1971 under different ownership), and without taxpayer money or subsidies, would be swell. The bald giveaway of taxpayer money to billionaires in an injurious location is anything but "swell."

Retired former Supervisor, State Senator and Judge Quentin Kopp lives in District 7

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Derelict, sunken craft in Oregon waterways could face stricter regulations

<u>Dana Tims, The Oregonian</u> By <u>Dana Tims, The Oregonian</u> Email the author | <u>Follow on Twitter</u> on June 06, 2013 at 1:27 PM, updated June 06, 2013 at 4:27 PM

Multnomah County Dep. Bret Lort eased the 32-foot patrol craft Freedom into Swan Island Lagoon.

Beside him, Lt. Travis Gullberg scanned the <u>Willamette River</u> shore for The Monk, a beached and broken boat that still packs the power to cost taxpayers tens of thousands of dollars.

"There it is," Gullberg said, pointing to the grounded, listing shell that beached here in North Portland last year after nearly sinking farther downstream. "The poster child of derelict vessels."

Gullberg and sheriff's deputies who patrol Oregon's rivers and lakes say they could help prevent such costly catastrophes if they had the legal authority to intervene when they spot signs a craft is in imminent danger of sinking or washing ashore. Craft without a motor, with broken windows, or overloaded with gear and garbage would get a guick visual inspection to determine if greater danger signs exist below the surface.

But current policy binds deputies' abilities to take more action. Deputies are limited in their scope of determining what is a derelict craft, financial costs are a deterrent to seizing craft, and, Gullberg said, the bureaucratic process "simply takes too long."

That could change, however, with legislation intended to get derelict or abandon boats off the water before they sink, a problem that is becoming increasingly worse along the Willamette and Columbia rivers near Portland.

Details of <u>House Bill 2233</u> are still being worked out, but it intends to expand the scope and better define what constitutes a derelict craft, would expand criminal statutes, and would provide state funds to help pay municipal costs of old-boat "turn-ins."

Furthermore, it would send an enforcement message to water-borne scofflaws that simply cutting a hole in the hull of an aging boat and letting it sink doesn't mean deputies won't come knocking to recover money spent on salvage and disposal.

"This bill makes it clear that boat owners are the ones responsible for removal costs," said Rachel Bullene, the Oregon State Marine Board operations policy analyst. "If we use our fund to remove a vessel, we will do everything we can to track down an owner to collect."

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The bill, submitted at the request of the marine board, itself nearly sank last week, but last-minute negotiations preserved it potentially becoming law by the end of the legislative session.

Sunken and half-sunken boats pose not only navigational hazards, but environmental problems, as well, Bullene said. Any onboard fluids will almost certainly spill into a river or lake.

Then there are the costs.

Statistics compiled by the state of California and borne out in Oregon indicate that salvage and disposal costs associated with sunken vessels are anywhere from three to 10 times higher than with boats still floating.

In California last year, local governments paid an average of \$1,600 each to remove and demolish the 162 vessels voluntarily surrendered as part of the state's derelict boat turn-in program, Bullene said. The 251 abandon vessels that had to be removed from the water, by contrast, cost a per-boat average of \$4,200.

Craft that sank and had to be hoisted from the water and hauled, full of sand and cracking at the joints, cost much, much more, she said, although specific figures for those operations are not available.

In Oregon, the scope of the problem appears to be increasing, although that may be because agencies are looking more closely at the problem, Bullene said.

"We are seeing more and more of this," she said. "And while it's more prevalent on bigger waterways, it's definitely a statewide problem."

A sunken boat was recently reported in <u>Klamath Lake</u>, while several lakes in Lane County have the same problem, Bullene said. Similarly, coastal communities regularly report abandon fishing vessels.

In the Portland area, at least six sunken boats have been removed in the past two years, Gullberg said. A seventh boat, one authorities believe was likely set adrift by an owner who didn't want to shoulder upkeep costs, is already largely submerged and is scraping its way downstream in the Columbia River near Dalton Point. It poses no immediate and significant danger, so various jurisdictions are hesitant to intervene and salvage the craft because they would get stuck with the tab.

Gullberg's "poster child," The Monk, ended up grounded on Swan Island after being signed over from one transient boater to another. Each new owner, like the one before him, lacked the financial resources to maintain it. Efforts to patch a hole in the hull were successful only long enough to maneuver the boat from near the St. Johns Bridge to its current resting place along the lagoon.

With no one currently listed as its owner, The Monk is likely to become the property of the landowner where it's beached, Gullberg said, although officials haven't determined who that would be. But if high waters shove it back into the lagoon, taxpayers could be the ones stuck with the tab of removing it.

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"It's obvious to me that this could have been prevented with earlier intervention," Gullberg said. "It's a pretty sad outcome to a problem that never should have happened."

The proposed legislation is an outgrowth of an effort Oregon jointly launched two years ago with Washington state. A task force identified hundreds of abandoned and derelict craft and recommended solutions.

Washington Gov. Jay Inslee has signed into law a bill his Legislature passed. In Oregon, <u>Gov. John Kitzhaber</u> waits to see if HB 2233, which passed the House without opposition, will make it out of the Senate.

That appears possible. The main opposition comes from state <u>Sen. Herman Baertschiger Jr., R-Grants Pass</u>, who said fishing industry interests are concerned that language describing exactly what constitutes a derelict boat may initially have been written too broadly.

Baertschiger said amendments drafted to address the problem could do the trick.

"There's certainly a need for this bill," he said. "I just want to ensure that the process is fair."

- -- Dana Tims
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The New Hork Times

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What to Make of a Warming Plateau

By JUSTIN GILLIS

As unlikely as this may sound, we have lucked out in recent years when it comes to global warming.

The rise in the surface temperature of earth has been markedly slower over the last 15 years than in the 20 years before that. And that lull in warming has occurred even as greenhouse gases have accumulated in the atmosphere at a record pace.

The slowdown is a bit of a mystery to climate scientists. True, the basic theory that predicts a warming of the planet in response to human emissions does not suggest that warming should be smooth and continuous. To the contrary, in a climate system still dominated by natural variability, there is every reason to think the warming will proceed in fits and starts.

But given how much is riding on the scientific forecast, the practitioners of climate science would like to understand exactly what is going on. They admit that they do not, even though some potential mechanisms of the slowdown have been suggested. The situation highlights important gaps in our knowledge of the climate system, some of which cannot be closed until we get better measurements from high in space and from deep in the ocean.

As you might imagine, those dismissive of climate-change concerns have made much of this warming plateau. They typically argue that "global warming stopped 15 years ago" or some similar statement, and then assert that this disproves the whole notion that greenhouse gases are causing warming.

Rarely do they mention that most of the warmest years in the historical record have occurred recently. Moreover, their claim depends on careful selection of the starting and ending points. The starting point is almost always 1998, a particularly warm year because of a strong El Niño weather pattern.

Somebody who wanted to sell you gold coins as an investment could make the same kind of argument about the futility of putting your retirement funds into the stock market. If he picked the start date and the end date carefully enough, the gold salesman could make it look like the stock market did not go up for a decade or longer.

But that does not really tell you what your retirement money is going to do in the market over

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30 or 40 years. It does not even tell you how you would have done over the cherry-picked decade, which would have depended on exactly when you got in and out of the market.

Scientists and statisticians reject this sort of selective use of numbers, and when they calculate the long-term temperature trends for the earth, they conclude that it continues to warm through time. Despite the recent lull, it is an open question whether the pace of that warming has undergone any lasting shift.

What to make of it all?

We certainly cannot conclude, as some people want to, that carbon dioxide is not actually a greenhouse gas. More than a century of research thoroughly disproves that claim.

In fact, scientists can calculate how much extra heat should be accumulating from the humancaused increases in greenhouse gases, and the energies involved are staggering. By a conservative estimate, current concentrations are trapping an extra amount of energy equivalent to 400,000 Hiroshima bombs exploding across the face of the earth every day.

So the real question is where all that heat is going, if not to warm the surface. And a prime suspect is the deep ocean. Our measurements there are not good enough to confirm it absolutely, but a growing body of research suggests this may be an important part of the answer.

Exactly why the ocean would have started to draw down extra heat in recent years is a mystery, and one we badly need to understand. But the main ideas have to do with possible shifts in winds and currents that are causing surface heat to be pulled down faster than before.

The deep-ocean theory is one of a half-dozen explanations that have been proffered for the warming plateau. Perhaps the answer will turn out to be some mix of all of them. And in any event, computer forecasts of climate change suggest that pauses in warming lasting a couple of decades should not surprise us.

Now, here is a crucial piece of background: It turns out we had an earlier plateau in global warming, from roughly the 1950s to the 1970s, and scientists do not fully understand that one either. A lot of evidence suggests that sunlight-blocking pollution from dirty factories may have played a role, as did natural variability in ocean circulation. The pollution was ultimately reduced by stronger clean-air laws in the West.

Today, factory pollution from China and other developing countries could be playing a similar role in blocking some sunlight. We will not know for sure until we send up satellites that can make better measurements of particles in the air.

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What happened when the mid-20th-century lull came to an end? You guessed it: an extremely rapid warming of the planet.

So, if past is prologue, this current plateau will end at some point, too, and a new era of rapid global warming will begin. That will put extra energy and moisture into the atmosphere that can fuel weather extremes, like heat waves and torrential rains.

We might one day find ourselves looking back on the crazy weather of the 2010s with a deep yearning for those halcyon days.

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San Francisco man walking the Bay Trail every day in June

By Sarah Rohrs (Vallejo) Times-Herald Contra Costa Times Posted:

ContraCostaTimes.com

Outfitted in well-used walking shoes, Kurt Schwabe, of San Francisco, stepped off the San Francisco Bay Ferry in Vallejo early Friday morning eager to walk the next leg of his unusual adventure.

Schwabe, 45, is spending each day of June circling the Bay Area on its shoreline trails, using his feet and public transportation. His goal is to draw attention to 330 miles of the San Francisco Bay Trail, plus transit options to get there.

"We have so many ecological resources right here. Sometimes, in all our haste of working and commuting we forget what's right here and we don't take much time to get out and enjoy it," Schwabe said.

The San Francisco Bay Trail runs through 47 cities in all nine Bay Area counties. It differs from the Bay Area Ridge Trail in that the latter incorporates trails in hills and ridges while the Bay Trail focuses on shorelines.

Schwabe and a few dog walkers and joggers were out enjoying the shoreline Friday morning on the Vallejo waterfront segment of the Bay Trail.

Under foggy skies he walked briskly along River Park and the Vallejo Yacht Club and the Ferry Building.

His mission Friday was to walk from the Highway 37 bridge to the Carquinez Bridge and finish in Rodeo, where he would catch a bus back to a BART station for the ride to San Francisco. In between he also wanted to take a few detours into Vallejo's Glen Cove and the Benicia State Recreation Area.

In the making since 1987, the planned 500-mile Bay Trail is about two-thirds complete and administered by the Association of Bay Area Governments. Schwabe and ABAG officials hope the walk will highlight the need to fill in gaps, plus also drum up awareness of the trail itself.

"We hope to bring more attention to the effort and to encourage people to get out on the trail and learn more about it," ABAG Bay Trail Planner Maureen Gaffney said.

ABAG coordinates trail planning, but the agency does not own the trail nor do any maintenance, Gaffney said. Those activities are left to government agencies or homeowner associations, which have jurisdiction over segments.

Gaps are filled when new development proposals are made. The Bay Area Conservation District requires that applicants provide for public shoreline access, Gaffney said. Some parts are inaccessible and it may take years to open for public enjoyment, she said.

To explore what is accessible, Schwabe leaves his San Francisco condominium each morning and uses public transportation to get to that day's trail section. Once there, he walks the trail and in the early or midafternoon returns to San Francisco to post photos and write on his blog, walkingthebaytrail.com.

Schwabe got the idea for the walk after he was laid off from Google AdWords and considered what to do

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next. He realized he could combine three big interests -- writing, photography and the outdoors -- while also drawing attention to Bay Area's open space and shorelines.

He hopes to turn his experiences into a book. He carries a copy of "San Francisco Shoreline Guide," a new ABAG book outlining publicly accessible trail segments, plus a box set of two dozen Bay Trail map cards.

To help promote public transit options, the Metropolitan Transportation Commission is sponsoring his trip by paying fares through a Clipper card.

Schwabe figured he would walk about 12 miles per day but has actually logged up to 20 miles, some of that because he has had to double back to reach different trail parts and public transportation. On Thursday he had to use his car to reach portions of the trail along Highway 37 in Sonoma County.

His journey's first week has been filled with many vistas on San Pablo Bay, hidden trails in Tiburon, and a scary detour he took along a freeway onramp outside San Quentin State Prison.

Numerous shorebirds, deer, flowers and sweeping expanses of marsh and hayfields have kept him company and he said he's taken about 500 photos daily to capture all the Bay Area shoreline has to offer.

"The challenge each day is to get done by 3 p.m.," he said. Besides walking the trail, he said he has to get home in time to make dinner for himself and his wife Linda Frandsen and to walk their dog, Oscar Wilde. After watching "Jeopardy," he said he edits and posts photos and writes his blog entry and then rests up for the next day's adventure.

Every day brings something new and unexpected. "It's been really exciting," he said.

For more information on the San Francisco Bay Trail go to www.baytrail.org.

Bay Trail to add scenic segment along Carquinez Strait bluffs

By Denis Cuff Contra Costa Times Contra Costa Times Posted:

ContraCostaTimes.com

MARTINEZ -- A washed-out and washed-up county road is about to be remade into a new, \$5.5 million regional shoreline trail along the scenic Carquinez Strait, linking Central and West Contra Costa County.

On or before July 5, East Bay Regional Park District contractors will be begin rebuilding and converting 1.7 miles of Carquinez Scenic Drive into a hiking and riding trail between Martinez and the town of Port Costa.

The trail segment -- expected to open in fall 2014 -- will improve access to an often-overlooked area of hills, shoreline, natural parks and preserve south of the strait between San Francisco Bay and the Delta.

The project also will add a scenic segment to the region's Bay Trail, which eventually will encircle San Francisco and San Pablo bays.

"We are converting an old road the county doesn't want into a premier trail," said Jim Townsend, trails program manager for the park district. "This will be one of the most scenic trails in the Bay Area. The views of the water, bridges, the bay and the Delta are just gorgeous."

Access is limited to much of the area along the Carquinez Strait because of its steep bluffs, narrow shoreline and few roads. In 1983, Contra Costa County permanently closed the stretch of Carquinez Scenic Drive after heavy storms and runoff caused sections to slide down the hills.

The demise of the road built in 1914 opened the door for a trail, a project that is neither cheap nor easy.

During a recent tour of the trail west of Martinez, only about three feet of the road clung to the hillside in one spot. Not much more of the road remains in some other areas.

To develop the trail, contractors will rebuild hill sections and protect them against slides by driving tall pilings into the ground in nine locations and pouring concrete around them.

"It is a big and challenging project," said Dale McCourt, the park district's design and construction manager. "The technology to do it is proven."

The cracked pavement from the road will be removed and replaced by a 10-foot-wide paved trail with shoulders on each side.

Despite its closure long ago, the 1.7 miles of road is used regularly by joggers, hikers and cyclists. That is about to change. Fencing will be added to keep the public off the road during construction, and trespassers will be ticketed, said Emily Hopkins, a park district spokeswoman.

Some people have urged park officials to leave the road alone and let people continue riding and running on it, but officials say cyclists or hikers easily could fall off the steep bluffs at many points or trip and fall on broken and buckled pavement.

"It's extremely hazardous, and erosion continues to eat away at the road," said Ted Radke, a regional park board member from Martinez. "This project will make it safe for public use."

David Campbell, the East Bay Bicycle Coalition program manager, said the new trail is an important recreational and commuter cycling route connecting Central and West Contra Costa. "It gets people close to the shoreline," he said.

The park district and the county studied trail plans for years but lacked the funds to do anything.

A big breakthrough occurred in 2010 when the park district won a \$10.2 million federal transportation grant, of which \$3.5 million goes for the Carquinez Strait trail.

The park district also is getting \$1 million of Contra Costa County Measure J transportation sales tax funds, \$900,000 from another federal grant, and \$400,000 from the California Coastal Conservancy.

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